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Thank you, Mr. Chairman, for the opportunity to testify today on an issue of great importance to Michigan's retail industry .

I am Larry Meyer, Chairman and CEO of the Michigan Retailers Association, a statewide trade association based here in Lansing. We represent nearly 6,000 members and their more than 13,000 general-merchandise stores throughout the state—everyone from the largest multi-state chains to the smallest family-owned stores.

I am here today to publicly opposed Senate Bills 416 and 464 on the grounds that they are not only unconstitutional, they are unnecessary.

Our members are vitally concerned about the sale of adult-oriented video games to minors. In fact, most of our members voluntarily pulled the game Grand Theft Auto from their shelves when they learned that pornographic material was hidden throughout the game. Their decision to pull the game was in line with most of their policies not to sell adult-only (or AO-rated) material in their stores.

In addition, the majority of our membership has spent the past few years designing and implementing voluntary age-verification policies for Mature (or M-rated) video or computer games in their stores. In most cases, the policies require that store clerks check the ID of all persons appearing to be 21 years of age or younger, as well as refuse sale to any customer who is under the age of 17 or does not have photo ID that verifies his or her age.

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In most cases, ratings are tied directly into the stores' point-of-sale systems, and employees are prompted to ask for ID whenever an M-rated game is scanned. If the employee does not verify that the customer is at least 17, the game is automatically removed from the transaction. I can tell you that our members are extremely committed to ensuring that their employees do not either shirk this responsibility or subrogate it, and retailers are undertaking comprehensive employee training programs regarding their policies, many of which punish the clerk with termination for violating the policies and/or reward the clerk for getting it right.

Our members want customers to feel welcome to shop in their stores. Our members also want parents to trust them to provide their children with a pleasant and safe shopping experience. If a parent is unhappy with a purchase made by his or her child at a particular store, it is unlikely that the parent will be a return customer.

Subjecting retailers to restrictions on sales of video games does not resolve the issues the bills are looking to address. While our brick-and-mortar members can monitor sales and increase educational efforts, remote sellers (those selling by catalogue or Internet) still do not subject their customers to identification checks. It is our belief that the best policy is to allow all retailers to continue to work with the video game industry and implement voluntary policies to address this issue.

The retail industry's commitment to voluntary compliance, coupled with the serious constitutional issues that you have already heard others touch upon, makes it clear that these bills are not the answer.

Thank you for the opportunity to testify, and I welcome any questions you may have.